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Filing Instructions

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UPDATE 102

AUGUST 2024

MODERN CONTRACT OF GUARANTEE

Before filing this update please ensure that Update 101 has been filed – check behind the tabcard Filing Instructions/Summaries at the back of the volume.

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Filing Instructions

1. Check the currency of your Service

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2. File your updating pages

To file this update, you will need to refer to the following table.

In your binder, navigate to the Tabcard noted in the Find Tabcard column. Remove the pages listed in the Discard old pages column, then replace the discarded pages with the newly issued pages as listed in the Insert new pages column. Ensure that you follow one Filing Instruction row at a time.

Find Tabcard	Discard old pages	Insert new pages
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Definition and distinctions	1-1101 – 1-2118	1-1101 – 1-2118
	1-3101 – 1-5108	1-3101 – 1-5108
Formation of the contract	2-2051 – 2-2058	2-2051 – 2-2058
	2-5061 – 2-5072	2-5061 – 2-5072
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Formal requirements	3-7 – 3-12	3-7 – 3-12
	3-4061 – 3-5070	3-4061 – 3-5070
	3-5083 – 3-5134	3-5083 – 3-5134
Factors affecting validity	4-11 - 418	4-11 - 418
	4-31 – 4-48	4-31 – 4-48
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	4-8051 – 4-8052	4-8051 – 4-8052

Find Tabcard	Discard old pages	Insert new pages
LIABILITY AND DISCHARGE		
Scope of the guarantor's liability	5-51 – 5-126	5-51 – 5-126
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	5-2111 – 5-2132	5-2111 – 5-2132
Determination of the principal transaction	6-1 – 6-2	6-1 – 6-2
	6-2071 – 6-2078	6-2071 – 6-2078
Creditor's conduct towards the principal	7-3 – 7-42	7-3 – 7-42
RIGHTS OF THE PARTIES		
Rights of the creditor	10-53 – 10-3106	10-53 – 10-3106
	10-3177 – 10-3220.2	10-3177 – 10-3220.2
Rights of the guarantor after payment	12-3 – 12-4	12-3 – 12-4
	12-1129 – 12-2112	12-1129 – 12-2114
GUARANTEES IN PARTICULAR CONTEXTS		
Performance bonds	15-1 – 15-2	15-1 – 15-2
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